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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,402	10/31/2000	Masahiro Matsuo	3064NG/49341	6990

7590 11/03/2005
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT PAPER NUMBER

2131

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/699,402	Applicant(s) MATSUO, MASAHIRO	
	Examiner Aravind K. Moorthy	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-20, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-20, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the amendment filed on 28 July 2005.
2. Claims 2-20, 22 and 23 are pending in the application.
3. Claims 2-20, 22 and 23 have been rejected.
4. Claims 1 and 21 have been cancelled.

Response to Amendment

5. With the amendment to claims 4 and 7, the examiner withdraws claim rejections 35 USC § 112 (2). Claims 4 and 7 no longer depend upon a cancelled claim.

Response to Arguments

6. Applicant's arguments with respect to claims 2-20, 22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 4-6, 14, 15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Keronen et al U.S. Patent No. 6,304,907 B1.**

As to claim 4, Keronen et al discloses that the display means of the remote controller device includes: title displaying means for displaying a title of the information sent from the main device [column 3 line 59 to column 4 line 15].

As to claim 5, Keronen et al discloses that the display means of the remote controller device serves as means for, when the title displayed on the title display means is specified, displaying the information corresponding to the title specified [column 3 line 59 to column 4 line 15].

As to claim 6, Keronen et al discloses a network apparatus, comprising:

a main device linked to a network represented by the internet, and a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes [column 4 line 65 to column 5 line 7]:

access destination specifying means for specifying an access destination to the main device [column 6, lines 46-56]; and

display means for displaying information sent from the main device [column 65, lines 57-65], and wherein the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 65, lines 57-65]; and

information sending means for sending the information obtained by the access means to the remote controller device [column 8, lines 1-46] wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the

remote controller device to the information [column 9, lines 30-63]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information [column 9, lines 30-63].

As to claims 14 and 15, Keronen et al discloses the network apparatus, wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 9, lines 30-63]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own, identification code, disabling display of the information [column 9, lines 30-63].

As to claims 18-20, Keronen et al discloses that the main device and the remote controller device communicate with each other by means of infrared rays [column 4, lines 17-34].

8. Claims 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al U.S. Patent No. Re. 36,988.

As to claim 22, Johnson et al discloses a method for accessing information over a network comprising:

receiving, by a main device from a portable remote controller device a request for information [column 15, lines 50-65];

obtaining, by the main device, the requested information [column 15, lines 50-65];

determining whether an output to a display device coupled to the main device is allowed [column 15, lines 50-65];

disabling the output to the display device when it is determined that the output is not allowed [column 15, lines 50-65];

providing the requested information to the portable remote controller device [column 15, lines 50-65];

receiving, by the main device from the portable remote controller device, a display switching signal [column 15, lines 50-65]; and

storing, by the main device, a setting for the portable remote controller device based on the display switching signal, wherein the determination of whether an output to the display device coupled to the main device is allowed is based on the stored setting [column 15, lines 50-65].

As to claim 23, Johnson et al discloses the method, comprising:

storing, by the main device, a setting for another portable remote controller device based on receipt of a display switching signal from the another portable remote controller device, wherein whether an output to the display device coupled to the main device is allowed for information requested by the another portable remote controller device is based on the stored setting for the another portable remote controller device [column 15, lines 50-65].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 7-13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport U.S. Patent No. 6,882,299 B1 in view of Johnson et al U.S. Patent No. Re. 36,988.

As to claim 2, Allport discloses a network apparatus comprising:

a main device linked to a network represented by the Internet [column 8, lines 33-60], and

a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes:

access destination specifying means for specifying an access destination to the main device [column 24 line 58 to column 25 line 5];

display means for displaying information sent from the main device; [column 24 line 58 to column 25 line 5]

identification code storage means for storing an identification code identifying itself; the access destination specifying means serving as means for sending the identification code [column 9, lines 9-23]; and the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 28 line 64 to column 29 line 34];

information sending means for sending the information obtained by the access means to the remote controller device [column 28 line 64 to column 29 line 34]; and

Allport does not teach access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence. Allport does not teach the access means serving as means for accessing the access destination corresponding to the identification code received from the remote controller device.

Johnson et al teaches storing an identification code (i.e. password) [column 15, lines 50-65]. Johnson et al teaches that there is a one-to-one correspondence between the identification code and the access destination (i.e. channel) [column 15, lines 50-65].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Allport so that there would have been access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence. There would have been access means serving as means for accessing the access destination corresponding to the identification code received from the remote controller device.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Allport by the teaching of Johnson et al because it prevents unauthorized access to premium channels [column 15, lines 50-65].

As to claim 3, Allport teaches that the access destination storage means serves as means for storing a mail address as the access destination [column 3, lines 25-41].

As to claims 8 and 9, Allport teaches that the display means of the remote controller device includes: title displaying means for displaying a title of the information sent from the main device [column 9, lines 48-61].

As to claims 10 and 11, Allport teaches that the display means of the remote controller device serves as means for, when the title displayed on the title display means is specified, displaying the information corresponding to the title specified [column 9, lines 48-61].

As to claims 7, 16 and 17, Allport teaches that the main device and the remote controller device communicate with each other by means of infrared rays [column 19, lines 53-60].

As to claims 12 and 13, Allport teaches the network apparatus, wherein:

the information sending means of the main device sends the information to
the remote controller device at an information sending destination after appending

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the identification code of the remote controller device to the information [column 24 line 58 to column 25 line 5]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own, identification code, disabling display of the information [column 24 line 58 to column 25 line 5].


Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy
October 28, 2005


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